

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

LUBBER, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	NO. 3:11-0042
	)	Judge Sharp/Brown
OPTARI LLC, et al.,	)	
	)	
Defendants.	)	

**O R D E R**

An in court status conference was held with the parties on March 29, 2012. The parties requested clarification of the Magistrate Judge's order (Docket Entry No. 153) concerning discovery. Reasonable attorney fees are included in the shared discovery expenses. Additionally, the \$10,000 bond that is being posted by the plaintiffs will be available to satisfy expenses in this area if not otherwise used on other matters.

During the course of the conference the plaintiffs suggested that in order to keep costs down for the various search terms that the defendants could run a quick privilege check and then provide the documents to the plaintiffs in bulk and the plaintiffs then would be responsible for sorting out such material as was considered relevant. This would put the majority of the cost of attorney search time on the plaintiffs rather than on the defendants.

The suggestion is certainly one that the defendants should consider, however the Magistrate Judge will not rule on such a proposal at this time.

The parties also discussed the need for some extensions

of the deadlines previously set by the Magistrate Judge. They stated they anticipated they could agree on dates. The parties are requested to submit an agreed modification of the scheduling order which the Magistrate Judge will grant. One of the purposes of extensions would be time to allow for mediation. The Magistrate Judge will do anything within reason to encourage mediation to resolve this case.

It is so **ORDERED**.

s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge